THELEN REID BROWN RAYSMAN & STEINER LLP

Michael G. Shannon Rebecca Brazzano 875 Third Avenue New York, New York 10022 (212) 895-2000

Attorneys for Defendant Fidelity Brokerage Services LLC

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

| NIMKOFF ROSENFELD & SCHECHTER, LLP Plaintiff,  | )           | Civil Action No.:<br>07 CV 7983 (DAB) |
|--|-------------|---------------------------------------|
| v.   | Ś           |                                       |
| RKO PROPERTIES, LTD. and FIDELITY INVESTMENTS, | )           | 7.1 STATEMENT OF FIDELITY INVESTMENT  |
| Defendants.                                    | )<br>)<br>) | BROKERAGE SERVICES LLC                |

Pursuant to Federal Rule of Civil Procedure 7.1 and to enable District Judge and Magistrate Judges of the Court to evaluate possible disqualification or recusal, the undersigned counsel for Fidelity Brokerage Services LLC, misnamed in the Complaint as Fidelity Investments, hereby certifies that the following is the corporate parent of said party which is privately held:

FMR LLC.

THELEN REID BROWN RAYSMAN & STEINER LLP

Michael G. Shannon Rebecca Brazzano

Attorneys for Fidelity Brokerage Services LLC

875 Third Avenue

New York, NY 10022-4728

Tel. 212.603-2000